

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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M&T MORTGAGE CORPORATION,

Plaintiff,

-against-

ST. STEPHENS BAPTIST CHURCH, INC.,

Defendant.

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MEMORANDUM AND ORDER
03-CV-5657 (JS) (MLO)

APPEARANCES:

For Plaintiff: Joseph C. Savino, Esq.
Zavatsky, Mendelsohn, Gross, Savino & Levy LLP
P.O. Box 510
33 Queens Street
Syosset, New York 11791

For Defendants: Peter S. Gordon, Esq.
Gordon & Gordon, P.C.
108-18 Queens Boulevard
Forest Hills, New York 11375

SEYBERT, District Judge:

Pending before the Court is Plaintiff's application for a hearing regarding the amount due Plaintiff on a loan to Defendant, which is the subject of a foreclosure. See DE No. 68. Pursuant to Rule 53 of the Federal Rules of Civil Procedure and Local Civil Rule 53.1 of the Local Rules for the Eastern District of New York, this Order serves as notice to the parties that the Court intends to appoint a master to conduct a hearing on the amount due Plaintiff. If the parties object to the appointment of a master, parties must file objections no later than September 15, 2006.

If none of the parties object to a master, the Court intends to appoint the following master to this matter: William R. Boccio, Esq., located at 22 Jericho Turnpike, Suite 103, Mineola, New York 11501, telephone number (516) 294-5106. The parties are ordered to file a joint proposed order that complies with Rule 53(b) of the Federal Rules of Civil Procedure and attach to such proposed order the master's affidavit in accordance with Rule 53(b) (3). If no objections are filed, the parties must file the joint proposed order and affidavit no later than September 30, 2006.

SO ORDERED.

/b/ JOANNA SEYBERT

Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York
August 24, 2006